

Message Text

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ACTION ARA-20

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TAGS: SOCI, CI, US

SUBJECT: CONGRESSIONAL HEARINGS ON HUMAN RIGHTS IN CHILE

REF: STATE 111138

1. FOLLOWING CONTRIBUTIONS TO DEPARTMENT RESPONSES KEYED TO
QUESTIONS POSED REFTEL:

A. ARRESTS CANNOT REPEAT NOT BE CHARACTERIZED AS "INDISCRIMINATE"
IN SENSE MASSIVE AND RANDOM DETENTIONS OF ARBITRARY NATURE WITHOUT
CAUSE OR SUSPICION SUFFICIENT TO WARRANT INVESTIGATION. CONSISTENT
GOC POSITION HAS BEEN THAT DETENTIONS MADE TO PERMIT INVESTIGATION
WHETHER GROUNDS EXIST FOR PROSECUTION FOR ACTIVITIES CONTRAVENING
CHILEAN LAWS EXTANT AT TIME OF ALLEGED OFFENSE (AS INTERPRETED BY
PRESENT GOVERNMENT). DETENTION PENDING COMPLETION OF INVESTIGATION
TO DETERMINE WHETHER OR NOT CHARGES SUFFICIENT TO FORMULATE AN
INDICTMENT IS COMMON PRACTICE UNDER CIVIL LAW PROCEDURES ANTEDATING
COUP. LARGE NUMBER DETAINEES RELEASED FOR INSUFFICIENT EVIDENCE TO
WARRANT PROSECUTION. INVESTIGATION AND RELATED DETENTION
OR RELEASE CAN BE LONG PROCESS, PARTICULARLY WHERE INTERNAL SECURITY
LAW OR ARMS CONTROL LAW VIOLATIONS ARE AT ISSUE AS IN CASE EX-
DAWSON ISLAND INMATES.

B. SUBSTANTIAL NUMBERS HAVE BEEN DISMISSED FROM GOVERNMENT
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AND PRIVATE EMPLOYMENT THOUGH WE HAVE NO SPECIFIC FIGURES. THERE

ARE SOME KNOWN CASES OF POLITICAL PURGES, AS IN CASE OF FOREIGN MINISTRY (SANTIAGO 6111, DECEMBER 13, 1973). HOWEVER, MOST DISMISSALS CAN BE ASCRIBED TO ECONOMIC RATHER THAN POLITICAL CAUSES. PRIVATE SECTOR HAS EXPLOITED EVERY OPPORTUNITY TO CUT COSTS BY PARING PAYROLLS. GOVERNMENT AGENCIES HAVE MADE VIGOROUS EFFORT TO WEED OUT PADDED PAYROLLS IN WAKE OF EXPLICIT POLICY OF ALLENDE REGIME TO ADD LARGE NUMBERS OF UNNECESSARY PERSONNEL TO GOVERNMENT AGENCIES AND LARGE SECTOR OF PRIVATE CONOMY CONTROLLED BY GOVERNMENT. WE ASSUME MANY 8.8 3\$ 2343 -))3,\$3 70094534, DESPITE GOC DECLARATIONS THAT NO ONE WOULD BE PENALIZED FOR POLITICAL BELIEFS AS DISTINCT FROM PRO-MARXIST ACTIVISM. BUT THIS WAS INEVITABLE PRODUCT OF EFFORT REDUCE FEATHERBEDDING IN PUBLIC AGENCIES KINCE UP STALWARTS WERE PRIME BENEFICIARIES OF THAT SYSTEM.

C. PRESENT GOC LIKE ITS TWO PREDECESSORS HAS ANNOUNCED FULL REFORM OF CHILEAN EDUCATIONAL SYSTEM AT ALL LEVELS, BASED ON NEED TO RATIONALIZE NATION'S EDUCATED MANPOWER NEEDS (SANTIAGO A-29). ALLENDE GOVERNMENT'S CONTROVERSIAL "ESCUELA NACIONAL UNICA" CONCEPT WAS CRITICIZED AS MEANS OF POLITICIZING ENTIRE SCHOOL SYSTEM AND ELIMINATING INTELLECTUAL OR EDUCATIONAL PLURALISM. PREVIOUS FREI GOVERNMENT EDUCATIONAL REFORM (1965-68) WAS OF MORE TECHNICAL NATURE, AIMED AT MAKING SPECIFIC CHANGES IN SCHOOL SYSTEM. THE CURRENTLY PROPOSED REORGANIZATION DRAWS HEAVILY ON THAT REFORM BUT GOES FURTHER BY INCLUDING ALL LEVELS OF SYSTEM. TASK FORCES NAMED TO FOCUS ON EACH AREA OF EDUCATIONAL SYSTEM ARE DUE TO REPORT THEIR CONCLUSIONS AND RECOMMENDATIONS IN SEPTEMBER. MEANWHILE, UNIVERSITIES, UNDER RECTOR DELEGATES NAMED BY GOC, HAVE TAKEN STEPS TO CONSOLIDATE THEIR INTERNAL ADMINISTRATIVE INDEPENDENCE AS MEANS OF STEMMING EFFORTS TO BRING HERETOFORE LARGELY AUTONOMOUS UNIVERSITIES UNDER MINISTRY OF EDUCATION, AS PROPOSED BY LATTER IN JANUARY. BEST SURVEY OF REORIENTATION PROCESS UNDERWAY IN UNIVERSITIES SINCE COUP IS REPORT, IN DEPARTMENT FILES, DATED FEBRUARY 8, FROM PROFESSOR PHILLIP E. JOHNSON, CHAIRMAN OF UNIVERSITY OF CALIFORNIA ACADEMIC FREEDOM COMMITTEE, BASED ON HIS JANUARY VISIT TO SANTIAGO.

D. EXCEPT IN CASES SPECIFIED IN QUESTION, THERE ARE NO UNUSUAL IMPEDIMENTS TO LEAVING CHILE. EXIT TAX OF 50,000 ESCUDOS (CURRENTLY APPROXIMATELY \$70) APPLICABLE TO ALL DEPARTING RESIDENTS LIMITED OFFICIAL USE

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IS APPLIED
EQUALLY TO CHILEANS AND NON-CHILEANS.

E. (1) BETWEEN SEPTEMBER 11, 1973 AND MAY 29, 1974, EMBASSY'S CONSULAR SECTION ISSUED 471 IMMIGRANT VISAS. OF THESE, 409 WERE ISSUED TO CHILEANS AND 62 TO NON-CHILEANS. CONSULAR RECORDS PROVIDE NO WAY OF DETERMINING HOW MANY OF THOSE ISSUED IMMIGRANT VISAS WOULD BE CONSIDERED "RESIDENT" IN CHILE

AS DISTINCT FROM PERSONS RESIDENT ELSEWHERE WHO OBTAINED THEIR VISAS IN CHILE. CONSULAR SECTION ALSO REPLACED THREE IMMIGRANT VISAS PREVIOUSLY ISSUED TO CHILEANS.

(2) DURING THE SAME PERIOD TWENTY-NINE IMMIGRANT VISA APPLICATIONS WERE REFUSED FOT FOUR OVERCAME THE REFUSALS.

(3) THERE WERE FOUR REFUSALS UNDER SECTION 212 (A)(19) INA (FRAUD OR MISREPRESENTATION), FIVE UNDER SECTION 212 (A)(15) INA (LIKELY PUBLIC CHARGE), AND TWENTY UNDER SECTION 221 (G) INA (DOCUMENTARILY UNQUALIFIED).

(4) AS OF MAY 29, TWENTY-FIVE PERSONS HAD BEEN APPROVED FOR ENTRY UNDER PRE-PAROLE PROCEDURES INSTITUTED FOR REFUGEES.

(5) THESE INCLUDED THIRTEEN CHILEAN DEPENDENTS.

(6) TOTAL OF 141 APPLICATIONS PROCESSED.

(7) DISAPPROVALS TOTAL 91.

(8) OF 91 DISAPPROVALS, 71 DISAPPROVED ON GROUNDS THAT APPLICANTS COULD EITHER RETURN TO THEIR COUNTRY OF ORIGIN AND/OR COULD APPARENTLY CONTINUE TO LIVE IN CHILE WITHOUT FEAR OF PERSECUTION FOR POLITICAL REASONS; EIGHT DISAPPROVED UNDER SECTIONS 212 (A)(27), (28), OR (29) (MEMBERS OF COMMUNIST PARTIES OR AFFILIATES, AND SECURITY GROUNDS); AND TWELVE WERE DEPENDENTS WHO COULD NOT BE APPROVED BECAUSE PRINCIPAL FAMILY MEMBER DISAPPROVED.

(9) PRE-PAROLE APPLICATIONS STILL IN PROCESS TOTAL FOURTEEN.

(10) OF 141 APPLICATIONS PROCESSED, ELEVEN WERE NEITHER APPROVED NOR DISAPPROVED SINCE APPLICANTS ACCEPTED RELOCATION IN LIMITED OFFICIAL USE

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ANOTHER COUNTRY BEFORE DECISION COULD BE MADE ON THEIR APPLICATIONS.
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